

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF AMENDING THE)
GUIDELINES REGARDING THE HOLDING OF) RESOLUTION NO. R-17-0005
SPECIAL EVENTS IN LANCASTER COUNTY)

WHEREAS, Neb. Rev. Stat. § 39-1402 provides that the general supervision and control of the public roads within Lancaster County, Nebraska, (“County”) is vested in the Board of County Commissioners of Lancaster County, Nebraska (“Board”);

WHEREAS, from time to time the Board receives requests from various organizations to hold a Special Event, including but not limited to parades and other organized runs, rides, and walks, on a public road in the County or within the County’s right-of-way;

WHEREAS, in order to assist the holders of Special Events by providing uniform guidelines to facilitate such Events while also protecting the interests of the County, the Board previously adopted Guidelines Regarding the Holding of Special Events in Lancaster County (“Guidelines”) pursuant to Resolution No. 4377, on May 24, 1988;

WHEREAS, the County Board recently updated its insurance requirements for County contracts;

WHEREAS, the County Board wishes to amend the insurance requirements in the existing Guidelines to conform to its insurance requirements for County contracts;

WHEREAS, the County Board conducted a public meeting on January 17, 2017, regarding the amendment of the Guidelines;

WHEREAS, during the public meeting the County Board voted to APPROVE the amendments to the Guidelines;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that the Guidelines Regarding the Holding of Special Events in Lancaster County be amended by replacing the "Insurance" section contained in the current GENERAL REQUIREMENTS OF APPLICANT FOR FILING AN APPLICATION FOR "SPECIAL EVENTS" PERMIT IN LANCASTER COUNTY, NEBRASKA, as adopted by County Resolution No. 4377, with the "Insurance" section provided in Attachment A, which Attachment is attached hereto and incorporated herein by this reference; and

BE IT FURTHER RESOLVED, that the Lancaster County Clerk is directed to maintain copies of said updated GENERAL REQUIREMENTS OF APPLICANT FOR FILING AN APPLICATION FOR "SPECIAL EVENTS" PERMIT IN LANCASTER COUNTY, NEBRASKA, on file in his/her office and provide the same to an Applicant upon request.

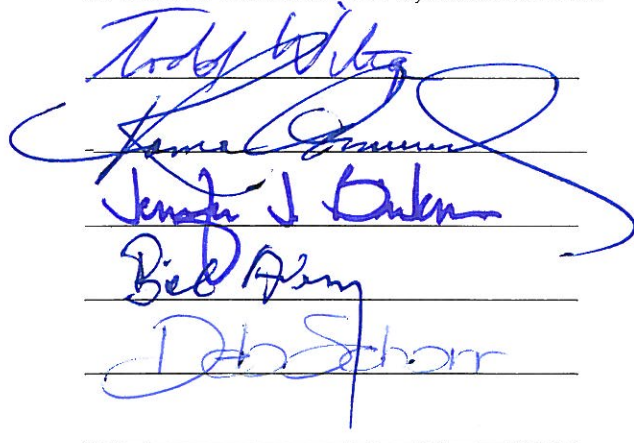
DATED this 17 day of January, 2017, in the County-City Building, Lincoln, Lancaster County, Nebraska.

BY THE BOARD OF COUNTY
COMMISSIONERS OF
LANCASTER COUNTY, NEBRASKA

APPROVED AS TO FORM
this 24th day of
January, 2017.

Deputy County Attorney

for JOE KELLY
Lancaster County Attorney



Attachment A

INSURANCE:

1. **Insurance; Coverage**

The Applicant shall, prior to the Special Event, provide proof of insurance coverage in a form satisfactory to the County, which shall not withhold approval unreasonably. The coverages and minimum levels required by this permit are set forth below and shall be in effect for all dates and times of the Special Event pursuant to this Permit. The Special Event shall not commence under this Permit until all insurance obligations herein are met to the satisfaction of the County, which shall not unreasonably withhold approval. Self-insurance shall not be permitted unless consent is given by the County prior to execution of the Permit. Deductible levels shall be provided in writing from the Applicant's insurer and will be no more than \$10,000.00 per occurrence.

1.1 **Commercial General Liability**

The Applicant shall provide proof of Commercial General Liability Insurance with the coverages and at the minimum limits set forth herein. These minimum limits can be met by primary and umbrella liability policies. Coverage shall include: Premises-Operations, Products/Completed Operations, Contractual, Broad Form Property Damage, and Personal Injury and shall be no less than \$1,000,000 Each Occurrence and \$2,000,000 Aggregate. Such coverage shall be endorsed for the general aggregate to be on a **PER PROJECT** basis, and the Applicant shall provide an additional insured endorsement acceptable to the County. The description of operations must state "Blanket coverage for all projects and operations of Applicant" or similar language that meets the approval of the County, which approval shall not be unreasonably withheld.

1.2 **Automobile Liability**

The Applicant shall provide proof of Automobile coverage, which shall include: Comprehensive Form, Owned, Hired and Non-Owned. Bodily Injury and Property Damage Combined Single Limit shall be at least \$1,000,000 Per Accident.

1.3 **Liquor Liability Insurance**

If the Applicant plans to sell alcoholic beverages in conjunction with its "Special Event", Applicant shall take out and maintain a host liquor liability insurance policy protecting the County against claims for damages from bodily injury, including wrongful death; personal injury liability; and property damage. The minimum acceptable limits of liability to be provided by such insurance shall be as follows:

\$1,000,000 Each Occurrence
\$5,000,000 Aggregate

2. Additional Insured

An Additional Insured endorsement shall be provided to County naming County as additional insureds using ISO additional insured endorsement (CG20 10), edition date 11/85, or an equivalent (e.g. CG 2010, edition date 10/93, plus CG 20 37, edition date 10101), under the commercial general liability policy and liquor liability policy. Said insurance shall be written on an **OCCURRENCE** basis, and shall be **PRIMARY, with any insurance coverage maintained by the County being secondary or excess.**

3. Certificates

The Applicant shall provide certificates of insurance and endorsements evidencing compliance with these requirements. Upon request, the Applicant shall furnish a full and complete copy of any policy of insurance, required by this Permit, to the County within a reasonable time, not to exceed thirty days. The certificates of insurance shall provide for at least thirty (30) days' firm written notice in the event of cancellation. Intent to notify is not acceptable. During the term of the Agreement and during the period of any required continuing coverages, the Applicant shall provide, prior to expiration of the policies, certificates and endorsements evidencing renewal insurance coverages. The parties agree that the failure of County to object to the form of a certificate and/or additional insured endorsement provided shall not constitute a waiver of this requirement.

4. Immunity

Nothing contained in this clause or other clauses of these Guidelines shall be construed to waive the Sovereign Immunity of the County.

5. Reservation of Rights

The County reserves the right to require a higher limit of insurance or additional coverages when the County determines that a higher limit or additional coverage is required to protect the County or the interests of the public. Such changes in limits or coverages shall be eligible for a change order or amendment to the Contract.